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January 30, 2024

Via ECF

The Honorable Robert W. Lehrburger
United States Magistrate Judge
United States District Court for the Southern
District of New York
Daniel Patrick Moynihan United States
Courthouse
500 Pearl Street
New York, NY 10007-1312

Defendants' request to adjourn the February 7, 2024 Initial Pretrial Conference is granted. Defendants shall alert the Court within five business days of the JPML's ruling so that the Court may reschedule the Conference if warranted. The parties are also relieved of their obligation to file a Case Management Schedule.

SO ORDERED:

1/31/2024


HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Re: March v. Real Estate Board of New York, et al., 1:23-cv-09995-JGLC-RWL (S.D.N.Y.)

Dear Judge Lehrburger:

This firm represents the Real Estate Board of New York ("REBNY") and the REBNY Listing Service ("RLS") in the above-captioned matter. I write on behalf of Defendants Real Estate Board of New York ("REBNY"), REBNY Listing Service ("RLS"), Keller Williams NYC, LLC ("KWNYC"), R New York Real Estate, LLC (incorrectly sued as R New York LLC), CORE Marketing Group LLC s/h/a Core Marketing Services LLC, Compass Inc., Douglas Elliman Inc., Sloane Square LLC, Engel & Völkers New York Real Estate LLC (incorrectly sued as Engel & Volkers LLC), Leslie J. Garfield & Co., Inc., Modern Spaces LLC, Elegran Real Estate d/b/a Elegran LLC, Fox Residential Group, Inc. (incorrectly sued as Fox Residential Group LLC), Serhant LLC, Level Group Inc., Nest Seekers LLC d/b/a Nestseekers International (incorrectly sued as Nest Seekers International LLC), TDG_TREGYNY LLC d/b/a MNS (sued herein as M.N.S. Real Estate NYC, LLC), Brown Harris Stevens Residential Sales, LLC (incorrectly named as Defendant Brown Harris Stevens, LLC), Halstead Manhattan, LLC (incorrectly named as Defendant Halstead Real Estate LLC), The Modlin Group LLC, and Plaintiff Monty March in this Action (the "Moving Parties") to alert the Court that earlier today, we filed a Joint Motion for a Stay of Proceedings Pending the Judicial Panel on Multidistrict Litigation's Decision on Transfer pursuant to 28 U.S.C. § 1407. In light of the requested stay, the Moving Parties respectfully request (1) to be relieved of their obligation to file a Case Management Schedule and (ii) that the Court adjourn the February 7, 2024 Initial Pretrial/Scheduling Conference to a date in May 2024, in light of the JPML's anticipated ruling in April 2024. We also wanted to advise the Court that while the stay is in effect, as a matter of clarifying the correct parties to the action, Plaintiff will be filing an unopposed motion pursuant to Rule 21 of the Federal Rules of Civil Procedure to substitute certain misnamed defendants for the correctly named defendant.

We thank the Court in advance for your indulgence of this request, and please do not hesitate to have Chambers contact us, or counsel for Plaintiff, should additional information be necessary.

Respectfully submitted,

/s/ Claude Szyfer

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cc: Counsel of record via ECF